

1-1 By: Button (Senate Sponsor - Carona) H.B. No. 679
1-2 (In the Senate - Received from the House April 11, 2011;
1-3 April 14, 2011, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 6, 2011, reported favorably by
1-5 the following vote: Yeas 5, Nays 0; May 6, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to change order approval requirements for certain
1-9 political subdivisions of the state.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 252.048(c), Local Government Code, is
1-12 amended to read as follows:

1-13 (c) If a change order involves a decrease or an increase of
1-14 \$50,000 [~~\$25,000~~] or less, the governing body may grant general
1-15 authority to an administrative official of the municipality to
1-16 approve the change orders.

1-17 SECTION 2. Section 271.060, Local Government Code, is
1-18 amended by adding Subsection (c) to read as follows:

1-19 (c) A governing body may grant authority to an official or
1-20 employee responsible for purchasing or for administering a contract
1-21 to approve a change order that involves an increase or decrease of
1-22 \$50,000 or less.

1-23 SECTION 3. Section 281.046, Local Government Code, is
1-24 amended by adding Subsection (f) to read as follows:

1-25 (f) The board may grant authority to an official or employee
1-26 responsible for purchasing or for administering a contract to
1-27 approve a change order that involves an increase or decrease of
1-28 \$50,000 or less.

1-29 SECTION 4. Section 325.040, Local Government Code, is
1-30 amended to read as follows:

1-31 Sec. 325.040. CHANGE ORDERS. After a construction contract
1-32 is awarded, if the district determines that additional work is
1-33 needed or if the character or type of work, facilities, or
1-34 improvements should be changed, the board may authorize change
1-35 orders to the contract on terms the board approves. A change made
1-36 under this section may not increase or decrease the total cost of
1-37 the contract by more than 25 percent. The board may grant authority
1-38 to an official or employee responsible for purchasing or for
1-39 administering a contract to approve a change order that involves an
1-40 increase or decrease of \$50,000 or less.

1-41 SECTION 5. Section 351.137(c), Local Government Code, is
1-42 amended to read as follows:

1-43 (c) After a construction contract is awarded, if the
1-44 district determines that additional work is needed or if the
1-45 character or type of work, facilities, or improvements should be
1-46 changed, the board may authorize change orders to the contract on
1-47 terms the board approves. The board may grant authority to an
1-48 official or employee responsible for purchasing or for
1-49 administering a contract to approve a change order that involves an
1-50 increase or decrease of \$50,000 or less. A change made under this
1-51 subsection may not increase or decrease the total cost of the
1-52 contract by more than 25 percent.

1-53 SECTION 6. Section 49.273(i), Water Code, is amended to
1-54 read as follows:

1-55 (i) If changes in plans or specifications are necessary
1-56 after the performance of the contract is begun, or if it is
1-57 necessary to decrease or increase the quantity of the work to be
1-58 performed or of the materials, equipment, or supplies to be
1-59 furnished, the board may approve change orders making the changes.
1-60 The board may grant authority to an official or employee
1-61 responsible for purchasing or for administering a contract to
1-62 approve a change order that involves an increase or decrease of
1-63 \$50,000 or less. The aggregate of the change orders may not
1-64 increase the original contract price by more than 10 percent.

2-1 Additional change orders may be issued only as a result of
2-2 unanticipated conditions encountered during construction, repair,
2-3 or renovation or changes in regulatory criteria or to facilitate
2-4 project coordination with other political entities.

2-5 SECTION 7. This Act takes effect immediately if it receives
2-6 a vote of two-thirds of all the members elected to each house, as
2-7 provided by Section 39, Article III, Texas Constitution. If this
2-8 Act does not receive the vote necessary for immediate effect, this
2-9 Act takes effect September 1, 2011.

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